

BARRY E. HINKLE, Bar No. 071223
CONCEPCIÓN E. LOZANO-BATISTA, Bar No. 227227
KRISTINA M. ZINNEN, Bar No. 245346
WEINBERG, ROGER & ROSENFELD
A Professional Corporation
1001 Marina Village Parkway, Suite 200
Alameda, CA 94501-1091
Telephone (510) 337-1001

Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

THE BOARD OF TRUSTEES, in their) No. C 07-04784 EMC
capacities as Trustees of the LABORERS)
HEALTH AND WELFARE TRUST FUND)
FOR NORTHERN CALIFORNIA; LABORERS)
VACATION-HOLIDAY TRUST FUND FOR) **EX PARTE APPLICATION FOR**
NORTHERN CALIFORNIA; LABORERS) **CONTINUANCE OF CASE**
PENSION TRUST FUND FOR NORTHERN) **MANAGEMENT CONFERENCE;**
CALIFORNIA; and LABORERS TRAINING) **[PROPOSED] ORDER**
AND RETRAINING TRUST FUND FOR)
NORTHERN CALIFORNIA,)

Plaintiffs,

v.

CHESTER L. NEAL, Individually and doing
business as C.L. NEAL CONSTRUCTION,

Defendant.

**TO: THE CLERK OF THE COURT AND DEFENDANT CHESTER L. NEAL,
Individually and doing business as C. L. NEAL CONSTRUCTION:**

Pursuant to Civil Local Rule 7-10, Plaintiffs hereby request that the initial case
management conference scheduled for January 2, 2008 be continued for 60 days.

Despite numerous attempts, Plaintiffs have not been able to successfully serve Defendant.

1 Plaintiffs request that the Case Management Conference be continued for 60 days so that Plaintiffs
2 may attempt to locate and serve Defendant with the Complaint.

3 The above stated facts are set forth in the accompanying declaration of Kristina M. Zinnen
4 in Support of Ex Parte Application to Continue Case Management Conference, filed herewith.

5 Dated: December 18, 2007

WEINBERG, ROGER & ROSENFELD
A Professional Corporation

6
7 By: /s/
8 KRISTINA M. ZINNEN
9 Attorneys for Plaintiffs
10
11

12 **ORDER CONTINUING CASE MANAGEMENT CONFERENCE**

13 Based upon the foregoing Ex Parte Application for Continuance of Case Management
14 Order and Declaration of Kristina M. Zinnen in Support of Ex Parte Application to Continue Case
15 Management Conference, the Court orders a continuance of the case management conference for
16 60 days, or as soon thereafter as a court date is available. In addition, the Court Orders:

17 The case management conference shall be held February 20, 2008 at 1:30 p.m. A joint case management
18 statement shall be filed by February 13, 2008.

19 Dated: December 20, 2007

20 The Honorable Edward M. Chen
United States District Court Judge

